

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

**MISSOURI PRIMATE FOUNDATION,
et al.,**

**Plaintiffs and
Counterclaim Defendants,**

v.

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, INC., et al.,**

**Defendants and
Counterclaim Plaintiffs.**

Case No. 4:16-cv-02163

[PROPOSED] ORDER

Before the Court is the Motion for Sanctions for Spoliation of Evidence brought by Counterclaim Plaintiffs, People for the Ethical Treatment of Animals, Inc. and Angela Scott a/k/a Angela G. Cagnasso (together, “Plaintiffs”). Good cause appearing, **IT IS HEREBY ORDERED** that Plaintiffs’ motion is **GRANTED** as follows.

IT IS ORDERED that the Answer of Counterclaim Defendants Missouri Primate Foundation, Connie Braun Casey, and Andrew Sawyer (collectively, “Defendants”) to Plaintiffs’ Counterclaim [Doc. # 31] is stricken, and default is entered in favor of Plaintiffs and against Defendants on all claims pending before the Court.

IT IS FURTHER ORDERED that, no later than [] days from the date of this Order, Plaintiffs may file a motion for entry of default judgment and proposed order concerning items (a) through (d) of the relief sought in Counts I and II of Plaintiffs’ Counterclaim.

IT IS FURTHER ORDERED that Plaintiffs may present their claims pursuant to item (e) of the relief sought in Counts I and II of Plaintiffs' Counterclaim in an appropriate post-judgment motion.

IT IS FURTHER ORDERED that, in addition to default judgment and as part of the sanctions, Plaintiffs are entitled to an award of costs and fees relating to the motion for sanctions. Plaintiffs incurred these expenses as a direct result of Defendants' misconduct and they shall bear those costs. The Court will grant Plaintiffs leave to file a petition detailing these fees and costs, no later than [] days from the date of this Order.

Date: _____

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE